

R277. Education, Administration.

R277-100. Definitions for Utah State Board of Education (Board) Rules.

R277-100-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board; and ~~[by]~~

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

(2) The purpose of this rule is to provide definitions that are used in the Board rules beginning with R277.

R277-100-2. Definitions.

(1) "Accreditation" means the formal process for internal and external review and approval under the standards of an accrediting entity adopted by the Board.

~~[(2) "Audit" means an independent appraisal activity established by the Board as a control system to examine and evaluate the adequacy and effectiveness of internal control systems within an agency.]~~

(2) "Agency" means:

(a) an entity governed by the Board;

(b) an LEA; or

(c) a grant sub-recipient.

(3) "Board" means the State Board of Education.

(4) "Charter school" means a school established as a charter school by a charter school authorizer under Title 53G, Chapter 5, Charter Schools, and rule.

(5) "District school" means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.

(6) "Dual enrollment student" means a student who:

(a) is enrolled simultaneously in:

29 (i) a private school or home school; and
30 (ii) a public school; and
31 (b) is counted by an LEA in membership for purposes of generating state or federal
32 funding for only those courses or subjects for which the LEA provides instruction.

33 ~~[(6)]~~(7) "Educator" means an individual licensed under Section 53E-6-201 and who
34 meets the requirements of ~~[R277-504]~~ Board rule.

35 ~~[(7)]~~(8)(a) "Evaluate" or "review" means to observe and assess a program receiving
36 state or federal funds with an objective of making recommendations, if appropriate, for
37 necessary changes or improvement.

38 (b) An "evaluation" or "review" may include providing training and technical
39 assistance on program-related matters and performing on-site reviews of program
40 operations.

41 ~~[(8)]~~(9)(a) "External audit" means an appraisal activity established under the
42 direction of an individual or entity outside of the subject agency to examine and evaluate
43 the adequacy and effectiveness of:

44 (i) agency control systems;

45 (ii) compliance;

46 (iii) performance; and

47 (iv) financial position.

48 (b) An external audit is conducted in accordance with current professional and
49 industry technical standards, as applicable, for external audits.

50 (10)(a) "Home school instruction" means, as described in Subsection 53G-6-
51 204(2)(c), instruction where the parent is solely responsible for:

52 (i) the selection of instructional materials and textbooks;

53 (ii) the time, place, and method of instruction; and

54 (iii) the evaluation of the home school instruction.

55 ~~[(ii) serves as the child's teacher for the applicable courses or subjects by:~~

56 ~~(A) planning lessons, assignments, and tests for the child;~~

57 ~~(B) assessing student academic progress; and~~

58 ~~(C) monitoring the student's comprehension and academic achievement.]~~

(b) "Home school instruction" does not include online public school instruction provided while a student is at home.

(11)(a) "Home school student" means a student who:

(i) is exempt from compulsory education requirements as described in Subsection 53G-6-204(2); and

(ii) only receives home school instruction.

(b) A home school student does not include:

(i) a student who is counted by an LEA in membership for purposes of generating state or federal funding; or

(ii) a student who:

(A) is enrolled in an online public school instructional program;

(B) participates in the Statewide Online Education Program through an LEA as described in Title 53F, Chapter 4, Part 5, Statewide Online Education Program, and R277-726; or

(C) is enrolled in an accredited private school.

([7]12) "Individualized education program" or "IEP" means a written statement for a student with a disability that is developed, reviewed, and revised in accordance with Part B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 (2004), and rule.

([8]13) "Individuals with Disabilities Education Act" or "IDEA," 20 U.S.C. Section 1400 et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a student with a disability is provided with a Free Appropriate Public Education (FAPE) that is tailored to the student's individual needs.

(14)(a) "Internal audit" means an independent appraisal activity established within an agency as a control system to examine and objectively evaluate the adequacy and effectiveness of other internal control systems within the agency.

(b) An "internal audit" is conducted in accordance with the current:

(i) International Standards for the Professional Practice of Internal Auditing; or

(ii) Government Auditing Standards, issued by the Comptroller General of the United States.

89 ([9]15)(a) "LEA" or "local education agency" means a school district or charter
90 school.

91 (b) For purposes of certain rules, "LEA" or "local education agency" may include the
92 Utah Schools for the Deaf and the Blind (USDB) if indicated in the specific rule.

93 (1[0]6)(a) "LEA governing board" means:

94 (i) for a school district, a local school board; and

95 (ii) for a charter school, a charter school governing board.

96 (b) For purposes of certain rules, "LEA governing board" may include the State
97 Board of Education as the governing board for the Utah Schools for the Deaf and the Blind
98 if indicated in the specific rule.

99 (17)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine the
100 compliance, performance, or finances of a program receiving state or federal education
101 funding.

102 (b) A monitoring or oversight program may include:

103 (i) review of financial and performance reports required of the subject program;

104 (ii) follow-up to ensure the subject program takes timely and appropriate actions to
105 correct identified deficiencies;

106 (iii) supervising remedial action recommended by audit or monitoring findings or
107 required by Board rule; and

108 (iv) any function performed in an evaluation or review.

109 (18)(a) "Online public school instruction" means instruction provided by an LEA,
110 primarily over the internet:

111 (i) where an employee of an LEA, or the LEA's designee, provides and directs the
112 curriculum, lessons and instruction provided to a student;

113 (ii) where the LEA, or the LEA's designee, administers the tests and assessments
114 to monitor the student's academic progress; and

115 (iii) that may or may not take place in the student's home.

116 ([14]19) "Parent" means a parent or guardian who has established residency of a
117 child under Sections 53G-6-302, 53G-6-303, or 53G-6-402, or another applicable Utah
118 guardianship provision.

119 ([~~12~~20) "Plan for College and Career Readiness" or "SEOP" means a student
120 education occupation plan for college and career readiness that is a developmentally
121 organized intervention process that includes:

122 (a) a written plan, updated annually, for a secondary student's (grades 7-12)
123 education and occupational preparation;

124 (b) all Board, local board and local charter board graduation requirements;

125 (c) evidence of parent or guardian, student, and school representative involvement
126 annually;

127 (d) attainment of approved workplace skill competencies, including job placement
128 when appropriate; and

129 (e) identification of post secondary goals and approved sequence of courses.

130 ([~~13~~21) "State Charter School Board" or "SCSB" means the State Charter School
131 Board created in Section 53G-5-201.

132 ([~~14~~22) "Superintendent" means the State Superintendent of Public Instruction or
133 the Superintendent's designee.

134 ([~~15~~23) "USDB" means the Utah Schools for the Deaf and the Blind.

135 [~~16~~]"USOR" means the Utah State Office of Rehabilitation.;

136 **KEY: Board, rules, definitions**

137 **Date of Enactment of Last Substantive Amendment: August 11, 2016**

138 **Authorizing, Implemented, or Interpreted Law: Art X Sec 3; 53[A-1-401]E-3-401(4)**